

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

KEITH PAUL BIRD,  
 Plaintiff,  
 v.  
 JAMES DZURENDA, et al.,  
 Defendants.

Case No. 2:20-cv-02093-ART-NJK

**Order**

[Docket No. 34]

On July 18, 2022, Plaintiff filed proposed summons with the Court to serve Defendants with the complaint in this case. Docket No. 34. For the reasons set forth below, the Court declines to issue the proposed summons.

On October 26, 2021, the Court entered a screening order permitting Plaintiff to proceed on three claims. Docket No. 14.<sup>1</sup> The Court stayed the case for 90 days to allow for the case to participate in the Court's inmate early mediation program. *Id.* at 12-13. On March 9, 2022, after the 90-day stay expired, the Court issued an order granting Plaintiff's application to proceed *in forma pauperis*. Docket No. 23. The Court ordered the Attorney General to, *inter alia*, "file a notice advising the Court and Plaintiff of (a) the names of the defendants for whom it accepts service; (b) the names of the defendants for whom it does not accept service, and (c) the names of the defendants for whom it is filing the last-known address information under seal." *Id.* at 2.

The Court set forth instructions as to how Plaintiff could obtain summons in its order. *Id.* The Court ordered that, for defendants for whom the Attorney General could not accept service, Plaintiff must file motions on the docket identifying the unserved defendants, requesting issuance of summons, and specifying a full name and address for the defendants. *Id.* The Attorney General

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<sup>1</sup> The Court allowed Plaintiff to proceed with a First Amendment retaliation claim against Defendants Paryga and Atherton and RLUIPA and First Amendment free-exercise claims against Defendants Paryga, Atherton, Clayton, Lozano, Thomas, Binder, Matousek, Hubbard-Pickett, Williams, Wickham, Dzurenda, and Ennis Wright. Docket No. 14 at 12.

1 filed a notice on March 30, 2022, submitting that it could not accept service for Defendants Ennis-  
2 Wright, Lozano, and Thomas because they had not granted authority to waive or accept service.  
3 Docket No. 24. The notice provided that the last known addresses of Defendants Lozano and  
4 Ennis-Wright would be filed under seal, but the identity of Defendant Thomas had not been  
5 ascertained. *Id.* at 2. The addresses were filed with the Court. *See* Docket Nos. 25, 26.

6 In the instant motion, Plaintiff fails to identify precisely who he is attempting to serve or  
7 provide that person's address for the Court. Docket No. 34. Should Plaintiff seek issuance of  
8 summons, he must file a motion for the issuance of summons with the Court, including the full  
9 name and address for each Defendant he attempts to serve.

10 IT IS SO ORDERED.

11 Dated: July 19, 2022

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14 Nancy J. Koppe  
15 United States Magistrate Judge  
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